

**MINUTES OF THE REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
OCTOBER 21, 2009**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, October 21, 2009, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

**Roll Call.**

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prectel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All council members were in attendance; therefore, there was a quorum for the meeting.

**Approval of the Minutes:**

The following minutes were distributed to and examined by the Council:

1. September 23, 2009 regular Common Council meeting
2. September 23, 2009 6:50 p.m. public hearing concerning the vacation of a portion of the former Second Street.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to approve the minutes as published. Motion carried 7- 0.

**Utility Service Board.** General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on October 19, 2009. Copies of the minutes are supplied to each council member.

**2010 Holiday Schedule.** Mayor Schmitt asked the Council to approve the following holiday schedule for the City for 2010:

<u><b>HOLIDAY</b></u>	<u><b>ACTUAL DATE</b></u>	<u><b>OBSERVED DATE</b></u>
New Year's Day	Friday, January 1	Friday, January 1
Good Friday	Friday, April 2	Friday, April 2
Memorial Day	Monday, May 31	Monday, May 31

Independence Day	Sunday, July 4	Monday, July 5
Labor Day	Monday, September 6	Monday, September 6
Veteran's Day	Thursday, November 11	Thurs, November 11
Thanksgiving Day	Thursday, November 25	Thurs, November 25
Christmas Eve	Friday, December 24	Friday, December 24
Christmas Day	Saturday, December 25	Mon, December 27
New Year's Eve	Friday, December 31	Friday, December 31

A **motion** was made by Council member David Prechtel and seconded by Council member Kevin Manley to approve the 2010 holiday schedule. Motion carried 7-0.

**ORDINANCE NO. 2009-31 AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES FOR THE SALE OF WATER BY THE JASPER MUNICIPAL WATER UTILITY**

This ordinance changes the water rates and charges that will be effective for the billings which occur after December 1, 2009. First reading was held on September 23, 2009. A public hearing was held prior to this meeting.

A motion was made by Council member Randy Buchta, seconded by Council member Thomas Schmidt and approved 7-0 to read the ordinance by title only on the second reading. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Kevin Manley and approved 7-0 to approve the ordinance on second reading.

Under discussion City Attorney Sandra Hemmerlein stated the rates in the ordinance are the rates that Umbaugh proposed.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member John Schroeder to have the ordinance read on the third and final reading by title only. Motion carried 7-0. The ordinance was so read. Thereafter, a motion was made by Council member Randy Buchta and seconded by Council member Ray Howard to approve Ordinance No. 2009-31 on the third and final reading. Motion carried 7-0.

**ORDINANCE NO. 2009-32 AN ORDINANCE ADOPTING A NET ENERGY METERING PROGRAM FOR THE JASPER MUNICIPAL ELECTRIC UTILITY**

A motion was made by Council member Ray Howard, seconded by Council member Ambrose 'Butch' Schitter and approved 7-0 to consider the ordinance for one reading only. Thereafter, a motion was made by Council member David Prechtel, seconded by Council member Kevin Manley and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Randy Buchta to pass and adopt Ordinance No. 2009-32. Motion carried 7-0.

Under discussion City Attorney Sandra Hemmerlein stated this ordinance was recommended by the Utility Service Board.

Hemmerlein explained that “Net Metering” is an arrangement of equipment for the production of electricity from the solar, wind, biomass, geothermal, hydroelectric generating facilities or other approved renewable generating equipment that are owned and operated by residential, commercial or industrial customers of the Jasper Municipal Electric Utility which allows a customer to offset its use of electricity by effectively spinning the customer’s electric meter backwards, crediting the customer for electricity contributed to the grid. The program would be offered to eligible customers on a first-come, first-served basis. The applications would be reviewed by Jerry Schitter and Bud Hayersperger. If the application is approved, the customer would be required to sign an Interconnection Agreement. The maximum allowed into Jasper’s system is eighty kilowatts thus allowing eight customers that have a nameplate capacity of ten kilowatts. There has been one inquiry.

Hemmerlein then went on to explain how the billing is done. If the customer produces more electricity than is delivered to them by the utility, the customer will be credited for the difference on their next monthly bill. The customer does not receive any money back and no checks are cut to the customer. If the customer continues to carry a credit balance and closes their account with a credit balance, the credit reverts back to the Utility. No refund will be issued to the customer.

**Library/Council joint meeting.** Council member Ambrose ‘Butch’ Schitter made a proposal to hold a joint meeting with the Library Board in order for members of both boards to give their points of view about a new library. He said when a new Library Board member is in place to replace the member that recently resigned then we could meet face to face with the public welcome.

Council member David Prechtel said he thinks this is a good idea. We should let our feelings be known.

Mayor Schmitt said the state statute says the Council has a role in this matter when it comes to the debt service. Schmitt also said he thinks the two Boards sitting down together would be beneficial to both the Library Board and the Council. It is time to bring some conclusion to some of the library issues.

Council member Ray Howard said he thought we gave the Library Board a couple of opportunities in regards to location and willingness to work together. He also said to his knowledge he has yet to see any positive response from the Board and they do not seem to want to do what we offered which is their prerogative. Howard said he does not know if having a meeting would be beneficial but if a majority of the Council members want to meet then he will sit in. Howard also said it seems the Board members can not agree on any one thing. He said he just does not think there will be any positive movement based on what he has seen the past six to eight months.

Council member Thomas Schmidt said he is willing to have another meeting.

Council members Kevin Manley and Randall Buchta said they were willing to sit down and talk.

Mayor Schmitt said in all fairness to the Library Board they need to know where the council stands on the debt service. He also said you can't just raise taxes just to fill our wants. The Library is fifty plus years old, a lot of study has gone into the project.

Library Board Attorney Bill Shaneyfelt stated he has no objection to having a meeting and believes a joint meeting would be extremely beneficial. He cannot think of reasons why the Library Board wouldn't think so too. He said there are six members on the Board at the present time. He suggested waiting until the Library Board has full membership before having the joint meeting.

Mayor Schmitt suggested the attorneys arrange a meeting.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member David Prechtel to hold a joint meeting with the Library Board to discuss all these issues and concerns and have the City Attorney work with the Library Board Attorney and work out the details on setting a meeting. Motion carried 7-0.

**Auction.** Mayor Schmitt reminded everyone that the City auction will be held at the street department on Saturday starting at 8:30 a.m.

**Update Comprehensive Plan.** Council member David Prechtel reported that the comprehension plan is moving as scheduled. There will probably be another steering committee meeting next month and more public hearings in early December. Mayor Schmitt asked if the library has been mentioned. Prechtel said the library is a concern and has been brought up at the meetings.

**Adjournment.** There being no further business to come before the Council, a **motion** was made by Council member Thomas Schmidt and seconded by Council member Randy Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:45 p.m.

The minutes were hereby approved \_\_\_\_ with  X  without corrections or clarification this 18<sup>th</sup> day of November, 2009.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary